

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JERRY O'DELL,

Plaintiff,

v.

STEVE WATTERS DEB MCCULLOCH,
STEPHANIE ARMITAGE and JANET FAIT,

Defendants.

ORDER

11-cv-399-slc

In response to an order entered in this case on June 6, 2011, plaintiff Jerry O'Dell has submitted a resident account statement for the six-month period immediately preceding the filing of the complaint. From this statement, I conclude that plaintiff has the means to prepay a portion of the filing fee in the amount of \$8.26. Plaintiff is reminded that paying the amount I have determined he is able to prepay is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After the court receives plaintiff's payment, I will take his complaint under advisement for a determination under § 1915(e)(2) whether the action or any portion of it must be dismissed as frivolous or malicious, for failure to state a claim on which relief may be granted or because plaintiff seeks monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that plaintiff Jerry O'Dell qualifies for pauper status on the condition that he prepay \$8.26 of the \$350 filing fee. He is to submit a check or money order made

payable to the clerk of court in that amount on or before July 11, 2011. If, by July 11, 2011, plaintiff fails to prepay the amount he has been ordered to pay, I will dismiss his case for failure to prosecute.

Entered this 17th day of June, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge